

April 14 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

## IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. \_\_\_\_\_

FILED

<p>THE STATE OF MONTANA,</p> <p>Appellant,</p> <p>vs.</p> <p>SHANARA ANDERSON,</p> <p>Appellee.</p>	<p>APR 14 2010</p> <p><i>Ed Smith</i> CLERK OF THE SUPREME COURT STATE OF MONTANA</p> <p><b>NOTICE OF APPEAL</b></p>
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NOTICE is hereby given that the State of Montana, the Appellant above-named and who is the Plaintiff in that cause of action filed in the 18<sup>th</sup> Judicial District, in and for the County of Gallatin, as Cause No. DC 09-33AX, hereby appeals to the Supreme Court of Montana from the District Court's Findings of Fact, Conclusions of Law and Order Re: Defendant's Motion to Suppress, entered in such action on March 31, 2010.

**THE APPELLANT FURTHER CERTIFIES:**

1. This appeal is not subject to the mediation process required by M.R.App.P. 7.
2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b).

3. That transcripts of the hearing on the motion to suppress have been  
ordered from Tami McNulty, Electronic Court Reporter for Department 2 of the  
18<sup>th</sup> Judicial District.

4. Because this is an appeal by the State of Montana no filing fee is  
owed.

DATED this 14<sup>th</sup> day of April, 2010.

STEVE BULLOCK  
Montana Attorney General  
Justice Building  
P.O. Box 201401  
Helena, MT 59620-1401

By: Mark W. Mattioli  
MARK W. MATTIOLI  
Appellate Services Bureau Chief

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**CERTIFICATE OF SERVICE**

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, Court Reporter Tami McNulty, and each attorney of record, as follows:

**By First Class Mail, postage prepaid, addressed to:**

Clerk of the District Court  
Law and Justice Center  
615 South 16th Avenue  
Bozeman, MT 59715

Ms. Tami McNulty  
Law and Justice Center  
615 South 16th Avenue  
Bozeman, MT 59715

Mr. Christopher Abbott  
Office of the Public Defender  
139 N. Last Chance Gulch  
Helena, MT 59601

Dated this 14th day of April, 2010.

By:   
MARK W. MATTIOLI  
Appellate Services Bureau Chief